

Mark C. Holscher (SBN 139582)  
KIRKLAND & ELLIS LLP  
555 South Flower Street, Suite 3700  
Los Angeles, CA 90071  
Telephone (213) 680-8400  
Facsimile: (213) 680-8500  
Email: mark.holscher@kirkland.com

Christopher W. Keegan (SBN 232045)  
Anna Terteryan (SBN 300368)  
KIRKLAND & ELLIS LLP  
555 California Street, Suite 2700  
San Francisco, CA 94104  
Telephone: (415) 439-1400  
Facsimile: (415) 439-1500  
Email: chris.keegan@kirkland.com  
Email: anna.terteryan@kirkland.com

Gabor Balassa (admitted *pro hac vice*)  
Ryan Moorman (admitted *pro hac vice*)  
KIRKLAND & ELLIS LLP  
333 West Wolf Point Plaza  
Chicago, IL 60654  
Telephone: (312) 862-2000  
Facsimile: (312) 862-2200  
Email: gbalassa@kirkland.com  
Email: ryan.moorman@kirkland.com

*Counsel for Defendant and Counter-Claimant  
Eli Lilly and Company*

QUINN EMANUEL URQUHART &  
SULLIVAN, LLP

Diane M. Doolittle (Bar No. 142046)  
dianedoolittle@quinnemanuel.com  
Yury Kapgan (Bar No. 218366)  
yurykapgan@quinnemanuel.com  
Kyle Batter (Bar No. 301803)  
kylebatter@quinnemanuel.com  
555 Twin Dolphin Drive, 5th Floor  
Redwood Shores, California 94065  
Telephone: (650) 801-5000  
Facsimile: (650) 801-5100

David M. Elihu (Bar No. 303043)  
davideliu@quinnemanuel.com  
865 South Figueroa Street, 10th Floor  
Los Angeles, California 90017  
Telephone: (213) 443-3000  
Facsimile: (213) 443-3100

*Counsel for Plaintiff and Counter-Defendant  
Nektar Therapeutics*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

NEKTAR THERAPEUTICS,  
  
Plaintiff/Counter-Defendant,  
  
v.  
  
ELI LILLY & CO.,  
  
Defendant/Counter-Claimant.

CASE NO. 3:23-CV-03943-JD

**STIPULATION AND ~~PROPOSED~~ ORDER  
MODIFYING SEALING PROCEDURES  
RELATED TO DISPOSITIVE MOTIONS  
AND *DAUBERT* MOTIONS**

Judge: Hon. James Donato

Pursuant to Civil Local Rule 7-12, Plaintiff Nektar Therapeutics (“Plaintiff”) and Defendant Eli Lilly and Company (“Defendant”), by and through their undersigned counsel, hereby stipulate and agree as follows:

WHEREAS, on February 11, 2025, this Court entered an Amended Scheduling Order setting the last day to file dispositive motions and *Daubert* motions as May 22, 2025 (ECF No. 148);

WHEREAS, pursuant to Paragraph 31 of this Court’s Standing Order for Civil Cases (“Paragraph 31”), the parties anticipate that “voluminous or multiple administrative motions to seal would be filed if normal procedures were followed” for the round of briefing on any dispositive motions and *Daubert* motions;

WHEREAS, Paragraph 31 further encourages parties to indicate in their motions to seal filed concurrently with briefs that a “more fulsome and revised motion to seal will be forthcoming after the completion of briefing” (“Omnibus Sealing Motion”);

WHEREAS, pursuant to Paragraph 31, an Omnibus Sealing Motion will supersede any interim sealing motion that would ordinarily accompany the parties’ opening briefs, opposition briefs, and reply briefs on dispositive motions and *Daubert* motions, the parties believe that it will be most efficient for the Court, and the parties, to address all sealing issues in Omnibus Sealing Motions to be filed following the initial filing of these materials;

WHEREAS, the parties have conferred and jointly propose, subject to the Court’s approval, certain modifications to the Court’s procedures for sealing of filings associated with any dispositive motion briefing, or *Daubert* motion briefing, for efficiency and to reduce burden on the Court;

NOW THEREFORE, the parties hereby stipulate and agree, subject to the Court’s approval, as follows:

1. The parties shall file redacted versions of all dispositive motion briefing and *Daubert* motion briefing, as separate entries on the docket; and
2. The parties shall also contemporaneously file unredacted copies of all documents on the docket provisionally under seal, along with a short interim sealing motion indicating that the reasons sought for sealing will be set forth in an Omnibus Sealing Motion; and

3. The parties shall jointly file Omnibus Sealing Motions covering all dispositive motions briefing and *Daubert* briefing, 30 days after the last reply brief is filed;
4. For briefing on other motions or other filings not specifically referenced in this stipulation that the parties anticipate would involve voluminous or multiple administrative motions to seal if normal procedures were followed, the parties may agree to use the Omnibus Sealing Motion procedure set forth in this stipulation without seeking further authorization from the Court.

DATED: May 19, 2025

Respectfully submitted,

KIRKLAND & ELLIS LLP

s/ Ryan Moorman

Ryan Moorman

*Counsel for Defendant and Counter-Claimant  
Eli Lilly and Company*

DATED: May 19, 2025

Respectfully submitted,

QUINN EMANUEL URQUHART & SULLIVAN, LLP

s/ Yury Kapgan

Yury Kapgan

*Counsel for Plaintiff and Counter-Defendant  
Nektar Therapeutics*

**ATTESTATION PURSUANT TO CIVIL L.R. 5-1(I)(3)**

I, Ryan Moorman, am the ECF user whose user ID and password are being used to file this document. I hereby attest that concurrence in the filing of this document has been obtained from each of the other signatories.

/s/ Ryan Moorman

Ryan Moorman

1 **PURSUANT TO STIPULATION, IT IS SO ORDERED:**

2  
3 Dated May 22, 2025

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6 JAMES DONATO  
7 UNITED STATES DISTRICT COURT JUDGE  
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